

Johnson



#18

SOLICITOR

NOTE: Pursuant to Fed. Cir. R. 47.6, this order is not citable as precedent. It is a public order.

JAN 23 2006

U.S. PATENT & TRADEMARK OFFICE

United States Court of Appeals for the Federal Circuit

05-1596
(Serial No. 09/684,205)

IN RE JACK H. HETHERINGTON

ON MOTION

ORDER

Jack H. Hetherington and the Director of the United States Patent and Trademark Office move jointly for a remand to the Patent and Trademark Office for continued prosecution of the patent application that is the subject of this appeal.

Upon consideration thereof,

IT IS ORDERED THAT:

- (1) The motion is granted.
- (2) Each side shall bear its own costs.

FOR THE COURT

JAN 18 2006

Date

Jan Horbaly

Jan Horbaly
Clerk

cc: John G. Posa, Esq.
John M. Whealan, Esq.

s17

**FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT**

JAN 18 2006

JAN 18 2006

ISSUED AS A MANDATE: _____

**CERTIFIED COPY JAN HORBALY
THEREBY CERTIFY THIS DOCUMENT
IS A TRUE AND CORRECT COPY
OF THE ORIGINAL ON FILE.**

**UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

By *Emily A. Burke* Date: *Jan. 18, 2006*

106